

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ON DEMAND DIRECT RESPONSE, LLC, et al.,)	Case No. 2:15-cv-01576-MMD-NJK
Plaintiff(s),)	
vs.)	ORDER
SHANA LEE MCCART-POLLAK, et al.,)	
Defendant(s).)	

This case was reassigned to the undersigned magistrate judge on January 9, 2017. Docket No. 221. On January 23, 2017, the parties filed status reports. Docket Nos. 226, 227. Having reviewed those status reports and the record, the Court hereby **ORDERS** as follows:

1) To the extent Third-Party Defendant Harrington seeks a stay of discovery, he must file a motion to stay within 7 days of responding to the amended third party complaint. To the extent Counterdefendant On Demand seeks a stay of discovery, it must also file its own motion to stay discovery by that same date. Such motions must address in meaningful fashion the standards applicable to staying discovery pending resolution of a dispositive motion. *See, e.g., Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013).¹

¹ To the extent On Demand seeks a stay without itself filing a dispositive motion, it must separately address why a stay of discovery is appropriately extended to it. *Cf. White v. Am. Tobacco*, 125 F.R.D. 508, 509 (D. Nev. 1989) (not staying discovery with respect to defendant who had not filed or joined pending dispositive motion).

1 In the event a motion to stay discovery is filed, discovery with respect to the movant(s) shall
2 be stayed pending resolution of the motion to stay except with respect to the initial
3 disclosures already ordered by Judge Ferenbach. In the event a motion to stay discovery is
4 not filed, the parties shall file a joint proposed discovery plan within 20 days of Harrington's
5 response to the amended third party complaint.

6 2) Ms. McCart-Pollak's motion for a status conference is **DENIED**. To the extent she
7 believes the initial disclosures provided to date are insufficient, she must comply with the
8 rules requiring a pre-filing conference with opposing counsel and the filing of a written
9 motion seeking relief. To the extent she would like to advise the Court of her positions
10 regarding the impropriety of staying discovery and/or a schedule for discovery, such issues
11 are better addressed in writing in responding to any motion to stay discovery and/or in any
12 proposed discovery plan.

13 3) The status conference set for June 27, 2017 (Docket No. 216) is **VACATED**.

14 IT IS SO ORDERED.

15 Dated: January 25, 2017

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NANCY J. KOPPE
United States Magistrate Judge